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Death rates per 100,000 for principal causes, July and August, 1920, and year 1919.

[Industrial Department, Metropolitan Life Insurance Co.]

Cause of death.	Rate per 100,000 lives exposed.		
	August, 1920.	July, 1920.	Year 1919.
Total, all causes.....	817.9	815.5	1,063.0
Typhoid fever.....	8.2	5.6	7.3
Measles.....	3.2	7.5	3.5
Scarlet fever.....	3.2	2.7	3.9
Whooping cough.....	6.6	4.8	3.2
Diphtheria.....	12.1	12.4	20.9
Influenza.....	5.8	8.2	96.9
Tuberculosis (all forms).....	120.1	132.5	156.5
Cancer.....	67.4	67.8	67.0
Meningitis (all forms).....	6.1	5.7	6.4
Cerebral hemorrhage.....	51.0	48.3	59.8
Organic diseases of heart.....	95.0	100.7	113.9
Pneumonia (all forms).....	31.7	34.0	117.2
Other respiratory diseases.....	12.1	11.4	17.0
Diarrhea and enteritis.....	30.2	18.0	16.9
Bright's disease.....	60.7	63.7	73.5
Puerperal state.....	20.0	19.3	20.0
Suicides.....	5.9	6.1	6.8
Homicides.....	6.8	5.3	6.9
Other external causes (excluding suicides and homicides).....	76.2	72.9	80.4
Traumatism by automobile.....	14.5	13.5	10.7
War deaths.....	(1)	(1)	16.6
All other causes.....	195.5	188.9	184.9

¹ Less than 0.05 per 100,000.

ALABAMA STATE BOARD OF HEALTH HELD TO BE A LEGAL BODY.¹

The State Board of Health of Alabama was attacked on the ground that, as constituted by the statutes of Alabama since 1875, it "is an illegal body, because it is in fact a private corporation, and because the legislature can not make such a private corporation a repository of governmental powers, even for purely administrative purposes."

Under the statutes the Medical Association of the State of Alabama is the State board of health, and the board of censors of that association is the State committee of public health. The State board of health elects the State health officer and fixes his term of office and salary. When the State board of health is not in session, the State committee of public health acts for said board, and when the committee is not in session, the State health officer acts for the board and committee.

The Supreme Court of Alabama held "that the State board of health is a legal body, lawfully empowered, and that it is entitled, through its legally qualified State health officer, to receive and, within the law, to expend the money appropriated thereto by the

¹ Parke et al. v. Bradley, State Treasurer, et al. (86 South., 28).

legislature." The reasoning of the court is shown by the following excerpts from the opinion:

A consideration of the statutes which create and organize the State board of health will at once disclose the fundamental fallacy in the contention of complainants. Whether the medical association of the State be regarded as a private or a public or as quasi public corporation is, we think, wholly immaterial; for that association, as such, is not invested with any power or authority whatever. On the contrary, recognizing its peculiar aptitude for the important and responsible service required, the State has availed itself of a ready-made organization of professional and practical medical scientists and has by legislative fiat converted it bodily into a State board of health, and to this public board, not to the State medical association, the legislature has granted authority and jurisdiction in the premises. (*State v. Sanders*, 187 Ala., 79; 65 South., 378; L. R. A., 1915A, 295.)

We are advised of no constitutional inhibition against such legislative action. The implied limitation against any delegation by the legislature of its lawmaking power is in no way involved or concerned; * * *

The chief point of attack in the structure of the State Board of Health of Alabama is in the mode of selecting its members, the objection being that in effect they are selected by the vote of members of the medical association of the State who, with respect to such action, are acting in a private capacity, in accordance with the rules of their association and without responsibility to the State or to the people. Conceding that this is true, and admitting the moral force of the objection, we are still unable to see that any constitutional inhibition is thereby violated. * * *

It is to be observed that the power of private corporate selection here complained of is indirect and not immediate, for, after all, the legislature designates the board of health, though it selects therefor a corporate organization whose individual membership is predetermined by the rules of that corporation. But, even so, there is a legislative adoption of those rules as the appropriate mode of selection, and it is clearly within the power of the legislature to direct and formulate those rules and to change them at its pleasure. * * *

We might have conceded, for the purposes of the above discussion, that the Medical Association of the State of Alabama was and is a private corporation, without affecting our conclusion. We are, nevertheless, of the opinion, having regard to its organization, aims, and activities, and its relation to the State board of health and to the public welfare in general, that it is a quasi public corporation, charged with duties and responsibilities which it can not evade, and is therefore, even under a much narrower construction of legislative power than we have accorded, an appropriate agency for service in the administration of the health laws of the State. * * *